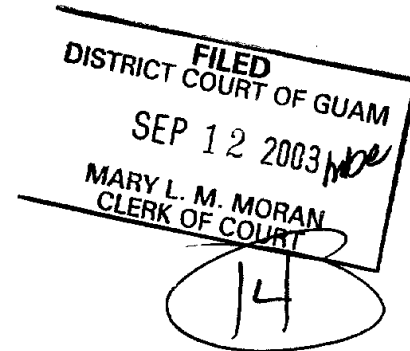


Steven A. Zamsky, Esq.
ZAMSKY LAW FIRM
Suite 805, GCIC Building
414 West Soledad Avenue
Hagåtña, Guam USA 96910
Telephone: (671) 477-3637
Facsimile: (671) 472-1584

Attorneys for Plaintiff Shell Guam, Inc.



IN THE DISTRICT COURT OF GUAM

SHELL GUAM, INC.,)	CIVIL CASE NO. CIV03-00020
a Guam corporation,)	
)	
Plaintiff,)	
)	AFFIDAVIT OF STEVEN A. ZAMSKY
vs.)	IN SUPPORT OF REQUEST
)	FOR ENTRY OF DEFAULT
M/V TENRYU MARU NO. 28,)	
)	
Defendant.)	
_____)	

GUAM U.S.A.)
) ss:
MUNICIPALITY OF HAGÁTÑA)

STEVEN A. ZAMSKY, being first duly sworn, depose and say as follows:

- I am the attorney of record for Plaintiff Shell Guam, Inc. herein which is asking that Judgment be entered in favor of Plaintiff Shell Guam, Inc..
- I make this Affidavit pursuant to FRCP Rule 55(a) and in support of the Request for Entry of Default of Defendant M/V Tenryu Maru No. 28 filed herewith and for entry of Judgment.

ORIGINAL

5 3. On June 18, 2003 the Verified Complaint *In Rem* and Warrant of Arrest were
6 personally served on the Master of Defendant M/V Tenryu Maru No. 28, at the Port Authority
7 of Guam, Piti, Guam USA, which is the last known place of business and employment of
8 Defendant M/V Tenryu Maru No. 28 and on Nikki Guam Corporation, the owner's agent,
9 pursuant to 18 GCA §6101. A copy of my letter to the Director of the Department of Revenue &
10 Taxation, Government of Guam, is attached marked Exhibit "A". The Affidavit of Mailing by the
11 Department of Revenue & Taxation is filed herewith.
12

13 4. On July 7, 2003 the Verified Complaint and Warrant of Arrest was mailed, via
14 certified mail, to Rosita P. Basalotte, who is the Secretary/Officer of Nikki Guam, Corporation,
15 owner agent of Defendant M/V Tenryu Maru No. 28. The Affidavit of Mailing is on file herein.
16

17 5. On July 8, 2003 the Notice of Action and Arrest was published in the Pacific Daily
18 News, a newspaper of general circulation in Guam USA. The Affidavit of Publication is on file
19 herein.

20 6. No party is known to have an interest in said Vessel. I have had no contact from any
21 potential claimant.
22

23 7. Defendant M/V Tenryu Maru No. 28 has not answered or otherwise pled and the
24 time for Defendant M/V Tenryu Maru No. 28 to answer or otherwise plead have not been
25 extended.

26 8. Defendant M/V Tenryu Maru No. 28 is neither an infant or incompetent person.
27
28

9. Entry of Default against Defendant M/V Tenryu Maru No. 28 should be entered as provided in said Rule.

FURTHER THE AFFIANT SAYETH NAUGHT.

Dated this 12th day of September 2003.


STEVEN A. ZAMSKY, AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, duly sworn and commissioned in and for Guam USA, this 12th day of September 2003 by STEVEN A. ZAMSKY.


NOTARY PUBLIC

MAIRIE T. CAMACHO
NOTARY PUBLIC
In and for Guam USA
My Commission Expires: February 10, 2007
My Commission Number: NP#63-0004
Post Office Box 3745 Hagåtña, Guam USA 96932

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ZAMSKY LAW FIRM

Steven A. Zamsky

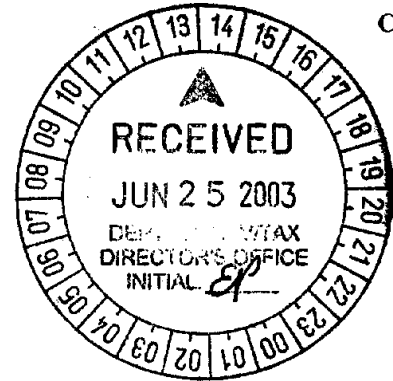
Of Counsel: John A. Bohn

Suite 805, GCIC Building
414 West Soledad Avenue
Hagåtña, Guam USA 96910
Telephone: (671) 477-3637
Facsimile : (671) 472-1584
e-mail: szamsky@kuentos.guam.net

Admitted in:
Guam
CNMI

VIA HAND DELIVER

June 24, 2003



Artemio Ilagan
Director
DEPARTMENT OF REVENUE & TAXATION
Government of Guam
Building 13-1, 2nd Floor
Mainer Avenue
Tiyan Barrigada, Guam USA 96913

COPY TO CLIENT

DATE : 06/25/03
BY : mail mtz
Fax

Re: Shell Guam, Inc. v. M/V Hiro Maru No. 11
District Court of Guam Civil Case No. CIV03-00019

Shell Guam, Inc. v. M/V Tenryu Maru No. 28
District Court of Guam Civil Case No. CIV03-00020

Shell Guam, Inc. v. M/V Gyoko Maru No. 18, et al.
District Court of Guam Civil Case No. CIV03-00021

Dear Mr. Ilagan:

Pursuant to 18 GCA §6101 enclosed herewith are duplicate copies of the Verified Complaints and Warrants of Arrest for each of the three (3) different Vessels and our check in the amount of Fifteen Dollars (\$15.00) for each Vessel.

Nikki Guam Corporation, we are informed, acts as the agent for each of those Vessels.

We have been unable to find any address for Nikki Guam Corporation on Guam or any designation of the agent for service of process.

Affiliated with Law Firms in:

Anchorage • Portland • San Francisco • Seattle • Washington D.C. • Hong Kong • Frankfurt • London

Page 2

Via Hand Deliver

Artemio Hagan

Director

DEPARTMENT OF REVENUE & TAXATION

Re: Shell Guam, Inc. v. M/V Hiro Maru No. 11; CIV03-00019;

Shell Guam, Inc. v. M/V Tenryu Maru No. 28; CIV03-00020;

Shell Guam, Inc. v. M/V Gyoko Maru No. 18, et al.; CIV03-00021

June 24, 2003

Should you have any questions, please feel free to call me.

Very truly yours,

ZAMSKY LAW FIRM


Steven A. Zamsky

Enclosures

NC: Philip W. Stalker, Vice President/Director of Finance, Shell Guam, Inc. (via facsimile no. (671) 649-9620)

Z8(004.676)LTR\6131